

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

vs.

Criminal No. 05-10074-PBS

CHARLES CARRINGTON

**EX PARTE APPLICATION FOR SERVICES**

Request is hereby made on behalf of Charles Carrington to allow the payment of expert fees for a psychologist in excess of the \$300.00 guideline.

Such request is based upon the Declaration of Mark W. Shea, counsel appointed for Charles Carrington, and all pleadings in the matter herein.

**DECLARATION OF MARK W. SHEA**

I, Mark W. Shea, do hereby declare as follows:

1. I am the attorney of record in the matter herein, appointed to represent Charles Carrington;
2. Mr. Carrington is charged with bank robbery;
3. In the course of preparing for the defense it had come to my attention that Mr. Carrington had severe cognitive difficulties, and may be mentally retarded, or borderline retarded;
4. The defense required a qualified psychologist to conduct the specialized cognitive tests to make the diagnosis of mental retardation;
5. I enlisted the services of Eric Mart, Ph.D., a board certified forensic psychologist who has extensive experience regarding assessment of people with cognitive disorders;
6. Dr. Mart's expertise is being used to assist the defendant at his sentencing in regards to possible downward departures, and regarding the competence of the defendant to have waived his *Miranda* rights;

7. At the current CJA rate, the \$300.00 guideline did not permit sufficient time for Dr. Mart's services;
8. This court previously approved the defendant's ex parte motion for funds for Dr. Mart in the amount of \$1,800 (#12, approved on March 24, 2005);
9. Dr. Mart has incurred additional expenses in the amount of \$2,120;
10. Based on the above, counsel for defense requests fees up to \$2,120.00 for Dr. Mart, which included an evaluation of Mr. Carrington, a written report, and conference with counsel.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9th day of June, 2006.

/s/ Mark Shea

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